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June 12, 2023

**By ECF**

Honorable Victor Marrero  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *National Coalition on Black Civic Participation, et al. v. Jacob Wohl, et al.*,  
SDNY Case No. 20-cv-8668 (VM)(OTW)**

Dear Judge Marrero:

Plaintiffs write to seek clarification of today's order directing the parties to provide alternative trial dates. *See* D.E. 278. We are currently complying with the Court's order by contacting our clients and witnesses for their fall trial availability. We respectfully request, however, that the Court clarify that it is not moving the previously agreed-upon and Court-ordered deadlines for pretrial briefing. *See* D.E. 267.

Plaintiffs would be prejudiced by an adjournment of those dates. On Thursday, June 8, 2023, Plaintiffs provided Defendants with our proposed Joint Pretrial Order, Joint Voir Dire, and Joint Jury Charge—a week in advance of the current due date. Those documents include a preview of Plaintiffs' case, including our proposed witnesses, stipulations, and exhibits. Mere hours after Plaintiffs provided those documents, Defendants moved the Court to reconsider its prior scheduling order. *See* D.E. 276. Because we have not yet seen Defendants' proposal, adjourning the pretrial filing deadlines will give Defendants an unfair advantage by allowing them to keep their cards close to their chest while Plaintiffs' are out on the table. Maintaining the current briefing schedule will not prejudice Defendants because, unlike the trial date, those deadlines do not conflict in any possible way with Mr. Wohl's obligations as a criminal defendant in California.

Respectfully,

/s/ Rick Sawyer

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cc: Counsel of record (via ECF and e-mail)